

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
NO. 7:23-CV-897**

**IN RE:**

**CAMP LEJEUNE WATER LITIGATION**

**This Document Relates To:**  
***Jose Vidana v. USA, 7:23-CV-1575***

**UNITED STATES' NOTICE OF  
WITHDRAWAL OF MOTIONS  
RELATED TO JOSE VIDANA**

Defendant United States of America hereby respectfully withdraws the following motions as to the *Jose Vidana, 7:23-CV-1575*, case due to an agreement to settle that case; the motions are still applicable to the other active cases:

- The United States' Motion for Partial Summary Judgment Concerning Dichloroethylene [D.E. 33];<sup>1</sup>
- The United States' Motion to Exclude the Expert Opinions of Paul J. Michaels, M.D. [D.E. 35];<sup>2</sup>
- The United States' Motion to Exclude Opinions of Plaintiffs' Specific Causation Experts in Non-Hodgkin's Lymphoma Trial Plaintiff Cases Under Fed. R. Evid. 702(d) for Failing to Reliably Employ a Differential Etiology [D.E. 37];
- The United States' Motion to Exclude General Causation Opinions of Plaintiffs' Leukemia and NHL Experts Under Federal Rule of Evidence 702(b) and (d) For Misapplying the Bradford Hill Methodology [D.E. 39];

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<sup>1</sup> Each Motion was filed on the Master Docket, 7:23-cv-00897, and the individual docket in the *Vidana* case. The United States here provides the Docket Entry numbers for the Motions as filed on the individual docket in the *Vidana* case.

<sup>2</sup> This motion applies only to *Jose Vidana v. USA, 7:23-cv-1575*, so the United States withdraws this motion entirely.

- The United States’ Motion to Exclude Plaintiffs’ Phase II Leukemia and NHL Experts Steven Bird, Lukasz Gondek, Kathleen Gilbert, Timothy Mallon, and Howard Hu (Literature Review Motion) [D.E. 41];
- The United States’ Motion to Exclude Certain Plaintiffs’ General Causation Experts’ Testimony Utilizing the “At Least As Likely As Not” Standard [D.E. 43];
- The United States’ Motion to Exclude General Causation Opinions of Plaintiffs’ Leukemia and NHL Experts Under Federal Rule of Evidence for: 1) Improperly grouping distinct diseases together; 2) Relying on an untested “synergy” theory; and 3) Relying on the inadmissible “any exposure” theory [D.E. 45];
- The United States’ Motion for Summary Judgment Based on Plaintiffs’ Failure to Proffer Expert Testimony Admissible Under *Daubert* (Leukemia and Non-Hodgkin’s Lymphoma) [D.E. 47]; and
- The United States’ Motion for Summary Judgment for Lack of Expert Testimony on But-For Causation [D.E. 50].

Once the settlement has been finalized, *Jose Vidana v. USA*, 7:23-cv-1575 will be dismissed in due course.

Dated: November 6, 2025

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I hereby certify that on November 6, 2025, I electronically filed the foregoing using the Court's Electronic Case Filing system, which will send notice to all counsel of record.

/s/ Alanna Horan